

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA

v.

CLAUDE JEROME WILSON, II

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Case No.: 3:06cr141-MEF

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, Claude Jerome Wilson, by and through his undersigned counsel, Jennifer A. Hart, and moves this Court to continue his case past the presently scheduled date of November 27, 2006. As grounds for granting this Motion, Defendant would show the following:

1. On June 14, 2006 Claude Wilson was charged in a one-count Indictment with being a felon in possession of a firearm.
2. On July 26, 2006, Mr. Wilson appeared before this court and entered a plea of not guilty to the charge.
3. Mr. Wilson has a long history of mental illness, has been diagnosed with schizophrenia and has been prescribed anti-psychotic medication in the past.
4. The Federal Defender Office has had Mr. Wilson evaluated by Clinical Psychologist Dr. Catherine Boyer. Unbeknownst to the Defense, Dr. Boyer had actually treated Mr. Wilson in the past for mental health related problems.
5. Dr. Boyer's evaluation is not yet complete as we are still awaiting the receipt of mental health records for Mr. Wilson. Defense counsel can report that Mr. Wilson's condition seems to be worsening.
6. Following this evaluation, Mr. Wilson may request that he be sent to a Bureau of

Prisons institution where he can receive a complete psychiatric analysis.

7. It appears at this time that Mr. Wilson may have an Insanity Defense to the charged offense, but that determination cannot yet be made until the psychological evaluation is complete.
8. The government, through Assistant United States Attorney David Cooke, does not oppose the granting of a continuance.

WHEREFORE, based on the foregoing, Clause Wilson respectfully request that the previously set trial date of November 27, 2006 be continued to the next available trial term.

Dated this 13th day of November 2006.

Respectfully submitted,

s/Jennifer A. Hart

JENNIFER A. HART

FEDERAL DEFENDERS

MIDDLE DISTRICT OF ALABAMA

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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
David Cooke, AUSA.

Respectfully submitted,

s/Jennifer A. Hart
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